

Joint Standing Committee on Legal and Veterans' Affairs

LD 5 **An Act to Amend the Election Laws Concerning Vacancies in the Office of State Representative** **ONTP**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| MAYO LIBBY | ONTP | |

LD 5 proposed to require municipal political committees to allow any voter eligible to vote in the party's primary to vote in the political committee's election to nominate a candidate to fill a vacancy in the office of Representative to the Legislature.

LD 7 **An Act to Allow the Town of Old Orchard Beach to Operate High-stakes Beano** **ONTP**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|----------------------------------|---------------------------|
| KERR | ONTP MAJ OTP-AM MIN | |

LD 7 proposed to allow the Chief of the State Police to issue a license to operate high-stakes beano to the Town of Old Orchard Beach. If issued a license to operate high-stakes beano, the Town of Old Orchard Beach would be subject to the same guidelines and restrictions as federally recognized Indian tribes licensed to operate high-stakes beano under current law.

Committee Amendment "A" (H-338) replaced the bill and proposed to allow a municipality, upon approval of the voters, to conduct high-stakes beano for not more than six consecutive months in any year. The amendment would have prohibited the Chief of the State Police from issuing any new licenses after January 1, 2001.

LD 20 **An Act to Clarify the Law Concerning Evictions from Mobile Home Parks** **PUBLIC 27
EMERGENCY**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|---------------------|-------------------------|---------------------------|
| FERGUSON CHIZMAR | OTP-AM | S-27 |

LD 20 proposed to allow eviction of a mobile home park tenant due to disruptive or malicious behavior or behavior that violates park rules by the tenant's guests, family members, cohabitees, or invitees, as well as that of the tenant.

Committee Amendment "A" (S-27) proposed to remove reference to family members from the bill, so that a mobile home park tenant can not be evicted from the mobile home park for the actions of a family member unless the family member is also a cohabitee, a guest or an invitee of the tenant.

Enacted law summary

Public Law 1997, chapter 27 allows eviction of a mobile home park tenant if the tenant’s guests, cohabitees or invitees violate park rules or otherwise engage in disruptive or malicious behavior. Chapter 27 was enacted as an emergency measure effective March 27, 1997.

LD 59

An Act to Authorize Actions under the Unfair Trade Practices Act Regarding Habitability of Dwelling Units

ONTP

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| HATCH RAND | ONTP | |

LD 59 proposed to make it a violation of the Unfair Trade Practices Act to provide one or more dwelling units that do not comply with the implied warranty and covenant of habitability, thereby enabling the Attorney General to bring an action against violators.

LD 72

An Act Regarding the Timely Filing of Campaign Reports by Candidates for State Office

ONTP

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| MAYO ABROMSON | ONTP | |

LD 72 proposed to require the Secretary of State to remove from the general election ballot the name of any candidate for State Senator or State Representative who has not filed required pre-primary and post-primary campaign finance reports at least 60 days before the general election.

LD 79

An Act to Restrict the Size of Political Signs

ONTP

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|---------------------------------|---------------------------|
| BOUFFARD | ONTP MAJ OTP MIN | |

LD 79 proposed to establish a maximum sign size of 14 inches by 22 inches for political signs.

LD 89**An Act to Prohibit the Gathering of Signatures at a Polling Place****DIED IN
CONCURRENCE**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|----------------------------------|---------------------------|
| LAVERDIERE | ONTP MAJ OTP-AM MIN | |

LD 89 proposed to prohibit petitioners and survey takers from conducting their activities inside polling places on election day, but would not have affected monitoring of voters or exit polls.

LD 115**An Act to Amend the Treatment of Security Deposits to Provide a Remedy for Failure to Comply****ONTP**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------------|---------------------------|
| JONES K | ONTP MAJ OTP MIN | |

Current law prohibits landlords from commingling security deposits with the assets of the landlord and requires the landlord to disclose the location of the security deposit. LD 115 proposed to provide a remedy of \$500 in damages for a landlord's failure to disclose the location of the security deposit.

LD 205**An Act to Exempt Family Entertainment Centers from Gambling Prohibitions****ONTP**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| VIGUE DAGGETT | ONTP | |

LD 205 proposed to authorize family amusement centers to have up to half of the games and amusement devices located in such a facility be redemption poker machines or redemption slot machines, which would have entitled the person playing or operating the game or machine to receive points or coupons that may be exchanged for merchandise only, excluding cash and alcoholic beverages. The value of the points or coupons received would not exceed 2 1/2 cents for each point on the game or machine.

LD 238**An Act to Prohibit Legislators from Accepting Gifts from Lobbyists****ONTP**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| BUCK AMERO | ONTP | |

LD 238 proposed to prohibit lobbyists from giving gifts to legislators and would have prohibited legislators from accepting gifts from lobbyists.

LD 239 **An Act to Require Picture Identification to be Used by Persons Registering to Vote on Election Day** **ONTP**

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| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
| TRIPP | ONTP | |

LD 239 proposed to require a person who registers on election day to show proof of identity and residency that contains a photograph of the person registering.

LD 247 **An Act to Reduce the Hours Required of the Registrar to Register Voters Prior to Election Day** **ONTP**

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| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
| TRIPP | ONTP | |

LD 247 proposed to repeal the requirement that the registrar accept voter registrations during certain hours in the last five days before an election and to enact a requirement that the registrar must accept registrations until the polls close on election day.

LD 250 **An Act Relating to the Collection of Initiative Petition Signatures at Polling Places** **ONTP**

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| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
| GAMACHE RAND | ONTP | |

LD 250 proposed to allow a person to collect signatures on initiative or referendum petitions at a voting place only if the person was registered to vote in an electoral district served by that voting place. It would also have required election wardens to allow a person to remain at the voting place to speak in opposition to a proposed initiative or referendum, but only if the person is a registered voter in an electoral district served by that voting place.

LD 254 **Resolve, Compensating Robert O'Malley for Claims against the State** **RESOLVE 69**

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| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
| TOWNSEND ABROMSON | ONTP MAJ OTP-AM MIN | H-337 |

LD 254 proposed to authorize Robert O'Malley to sue the State and individual past and present employees of the Department of the Attorney General who are covered by a liability insurance policy or policies to recover up to \$250,000 for damages resulting from investigation and prosecution of charges against him.

Committee Amendment "A" (H-337) proposed to replace the resolve. Instead of authorizing Robert O'Malley to sue the State, it requires the Governor to pay him \$150,000 in settlement of all claims resulting from the investigation and prosecution and appropriates \$150,000 from the General Fund.

Enacted law summary

Resolve 1997, chapter 69 requires the Governor to pay Robert O'Malley \$150,000 in settlement of all claims resulting from investigation and prosecution of charges against him.

LD 255 An Act to Consider the Horse Supply in the Assignment of Race PUBLIC 416
Dates

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| TRIPP | OTP MAJ | H-539 TRIPP |
| | ONTP MIN | |

LD 255 proposed to repeal the provision of law that requires every commercial harness horse racing track that was licensed for a specific calendar year to be given all the race dates it requests if it conducted live racing on those dates during the immediately preceding calendar year.

House Amendment "A" (H-539) replaced the original bill and proposed to allow the State Harness Racing Commission to conduct a hearing to determine the adequacy of the horse supply when establishing the number of dashes that a licensee may race.

Enacted law summary

Public Law Chapter 416 allows the State Harness Racing Commission to conduct a hearing to determine the adequacy of the horse supply when establishing the number of dashes that a licensee may race.

LD 257 An Act to Amend the Liquor Laws PUBLIC 501

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| TRUE | OTP-AM | H-428 |
| | | S-416 MICHAUD |

LD 257 proposed to:

1. Clarify that gifts may not be offered to the purchaser of an alcoholic beverage either on the container or the packaging;
2. Change a reference from "drinks" to "liquor;"

3. Regulate areas where the service and consumption of liquor may take place when it is offered for sale by on-premise licensees;
4. Allow the Bureau of Liquor Enforcement to immediately take back and void a license issued to an in-state winery or brewery when the licensee fails to make required tax payments; and
5. Prohibit the importation of liquor by mail order.

Committee Amendment "A" (H-428) clarified how merchandise, certificates or mail-in offers may be distributed and requires that they be packaged at the brewery or winery. The amendment also extended to restaurants the ability to obtain an auxiliary license in a separate building with restrictions.

Senate Amendment "A" (S-416) removed the provision that extends to restaurants the ability to obtain an auxiliary license in a separate building.

Enacted law summary

Public Law 1997, 501 clarifies how merchandise, certificates or mail-in offers may be distributed and requires that they be packaged at the brewery or winery. P.L. 501 also prohibits the importation of liquor by mail order.

LD 267 **An Act Regarding the Redistricting of Ogunquit** **ONTP**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| LAWRENCE | ONTP | |

LD 267 proposed to redistrict the Town of Ogunquit to place all of the town in House District 3.

LD 278 **An Act to Allow Candidates' Presence at Voting Places Solely for the Purpose of Voting** **ONTP**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| MARVIN | ONTP MAJ | |
| BENOIT | OTP-AM MIN | |

LD 278 proposed to allow a candidate to attend the voting place on election day only for the purpose of voting, and would have prohibited a candidate from lingering or communicating with other voters at the voting place.

Committee Amendment "A" (H-217), which was not adopted, proposed to replace the bill. Instead of prohibiting candidates from being present at the voting place for purposes other than voting, it would have clarified the warden's powers with regard to candidates at the voting place, allowed a warden to designate a location for the candidate to be positioned for purposes other than voting and clarified that the warden has the authority to have a peace officer remove the candidate for failure to comply with the location designation or the prohibition against influencing voters.

LD 280**An Act Regarding Opening Hours of Voting Places****ONTP**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|--------------------------------|---------------------------|
| WINN | ONTP MAJ OTP-AM MIN | |

LD 280 proposed to require that voting places be opened no later than 8 a.m. for presidential and gubernatorial elections.

LD 312**An Act to Remove Instant Lottery Ticket Vending Machines****ONTP**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|--------------------------------|---------------------------|
| KERR | ONTP MAJ OTP-AM MIN | |

LD 312 proposed to remove the authority of the State Lottery Commission to place vending machines for the sale of instant lottery tickets.

LD 339**An Act to Establish Maine as a Sponsor of the Women in Military Service for America Memorial in Arlington National Cemetery****P & S 49**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| DAVIDSON | OTP-AM | H-171 S-352 MICHAUD |

LD 339 proposed a General Fund appropriation to assist in the construction of the Women in Military Service for America Memorial in Arlington National Cemetery.

Committee Amendment "A" (H-171) raised the appropriation for the construction of the Women in Military Service for America Memorial in Arlington National Cemetery from \$5,000 to \$8,200. The \$8,200 represented the number of women veterans in the State, appropriating \$1 per woman veteran.

Senate Amendment "A" (S-352) reduced the appropriation to \$5,000.

Enacted law summary

Private and Special Law 1997, chapter 39 provides a General Fund appropriation of \$5,000 to assist in the construction of the Women in Military Service for America Memorial in Arlington National Cemetery.

LD 341 **An Act to Open a Discount State Liquor Store in Calais** **CARRIED OVER**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|---------------------|-------------------------|---------------------------|
| DRISCOLL CASSIDY | | |

This bill requires the location of a discount state liquor store in Calais. The bill was recommitted to the Appropriation and Financial Affairs Committee and subsequently carried over to the second regular session.

LD 376 **An Act to Eliminate the Requirement That Agency Liquor Stores Be a Certain Distance Apart** **ONTP**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| MICHAUD | ONTP | |

LD 376 proposed to delete the requirement that agency liquor stores be a certain distance apart.

LD 381 **An Act to Restrict Circulators of Initiated Petitions from Being within 250 Feet of Voting Places** **INDEF PP**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|---------------------------------|---------------------------|
| CAREY | OTP-AM MAJ ONTP MIN | |

LD 381 proposed to prohibit the circulators of direct initiative of legislation petitions from presenting any such petition and requesting voter signatures in the voting place or within 250 feet of the entrance to the voting place.

LD 383 **An Act to Clarify the Reporting Responsibility of Lobbyists** **DIED ON
ADJOURNMENT**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|----------------------------------|---------------------------|
| BUTLAND | ONTP MAJ OTP MIN | |

LD 383 proposed to require a lobbyist who spent \$300 or more on behalf of a Legislator to report the expenditure to the Legislator.

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| GOLDTHWAIT | OTP-AM A | S-122 |
| | OTP-AM B | S-184 LAWRENCE |
| | ONTP C | |

LD 387 proposed to amend the requirements governing an off-premise retail licensees' ability to conduct taste testings of wine on those licensees' premises. It added the category of spirits to wine and malt liquor, the sale of which must make up 50% or more of a licensee's gross income.

Committee Amendment "B" (S-122), which was adopted, is the minority report of the committee. It proposed to add provisions to the bill relating to taste testing at fine wine stores. It decreased the number of different wine labels that must be carried at a store to qualify as a fine wine store from 500 to 250 labels. It also repealed the language requiring that taste testing at a fine wine store be conducted in an area separate from the retail sales floor and not readily accessible to the general public. The amendment also allowed a farm winery to engage in taste testing its product at the premises of other retail licensees.

Enacted law summary

Public Law 1997, chapter 414 amends the requirements governing which off-premise retail licensees can conduct taste testings of wine on those licensees' premises. It adds the category of spirits to wine and malt liquor, the sale of which must make up 50% or more of a licensees' gross income. It adds provisions to the bill relating to taste testing at fine wine stores. It decreases the number of different wine labels that must be carried at a store to qualify as a fine wine store from 500 to 250 labels. It also repeals the language requiring that taste testing at a fine wine store be conducted in an area separate from the retail sales floor and not readily accessible to the general public.

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| MICHAUD | OTP-AM | S-83 |

LD 406 proposed to allow a third person to have 10 or fewer absentee ballots for voters in a municipality at any time. Current law allows a person to have only one or two absentee ballots.

Committee Amendment "A" (S-83) proposed to allow a third person to have five absentee ballots.

Enacted law summary

Public Law 1997, chapter 120 increases the number of absentee ballots a third person may have from two to five.

LD 424

**Resolve, Recognizing the Theta Chi Building Association as a
Nonprofit Corporation**

RESOLVE 27

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|--------------------------------|---------------------------|
| TREAT | OTP-AM MAJ ONTP MIN | S-28 |

LD 424 proposed to authorize the Board of Directors of the Theta Chi Building Association to file with the Secretary of State as a nonprofit corporation and be recognized as a nonprofit corporation for all purposes under the Maine Revised Statutes, Title 13-B, retroactively to January 1, 1997.

Committee Amendment "A" (S-28) proposed to replace the resolve. It clarifies the intent of the resolve by allowing the Theta Chi Building Association, which is currently a business corporation filed pursuant to the Maine Revised Statutes, Title 13-A, to be changed to and recognized as a nonprofit corporation for all purposes under Title 13-B. The amendment retains the corporation's original filing date of August 15, 1907. This change takes effect retroactively to January 1, 1997.

Enacted law summary

Resolve 1997, chapter 27 allows the Theta Chi Building Association, which is currently a business corporation filed pursuant to the Maine Revised Statutes, Title 13-A, to be changed to and recognized as a nonprofit corporation for all purposes under Title 13-B, retaining the corporation's original filing date of August 15, 1907.

LD 440

**An Act to Require Responsibility of the Employers of Persons who
Collect Signatures**

PUBLIC 61

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
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| TOWNSEND KILKELLY | OTP | |

Current law prohibits a petition circulator from accepting compensation based on the number of signatures collected. LD 440 instead proposed to prohibit a person from paying the circulator of a petition on the basis of the number of signatures collected.

Enacted law summary

Public Law 1997, chapter 61 amends the law prohibiting a person circulating a petition from accepting compensation based on the number of signatures collected to instead prohibit a person from paying compensation on that basis.

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| LD 484 | An Act Relating to Alcohol Beverage Price Promotions and Price Posting | ONTP |
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| <u>Sponsor(s)</u> FERGUSON | <u>Committee Report</u> ONTP | <u>Amendments Adopted</u> |
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LD 484 proposed to clarify that certificate of approval holders may offer discounted prices to wholesalers who choose to participate in the certificate of approval holder's price promotion and may post prices with the Bureau of Alcoholic Beverages and Lottery Operations accordingly.

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| LD 496 | An Act to Eliminate the Requirement of Cash on Delivery for Beer and Wine Sales to Businesses | ONTP |
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| <u>Sponsor(s)</u> LIBBY | <u>Committee Report</u> ONTP | <u>Amendments Adopted</u> |
|----------------------------|---------------------------------|---------------------------|

LD 496 proposed to repeal the requirement that a liquor the licensee pay cash, check or credit card payment upon delivery of liquor.

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| LD 501 | An Act to Prohibit Political Action Committee and Corporate Contributions in State Elections | ONTP |
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| <u>Sponsor(s)</u> LIBBY | <u>Committee Report</u> ONTP | <u>Amendments Adopted</u> |
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LD 501 proposed to prohibit corporations and political action committees from making contributions to candidates for state office.

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| LD 512 | An Act to Prohibit Liquor Licensing of an Establishment Managed by a Person with a Criminal Record | ONTP |
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| <u>Sponsor(s)</u> LABRECQUE | <u>Committee Report</u> ONTP MAJ OTP MIN | <u>Amendments Adopted</u> |
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LD 512 proposed to prohibit liquor licensees from employing as a manager or person in charge of the licensed premises any person who has ever been convicted of a Class A, Class B or Class C crime or the violation of any liquor laws or whose license to sell liquor has been revoked.

LD 526**An Act to Establish a Part-time Liquor License****INDEF PP**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| BUNKER | OTP-AM | H-94 |

LD 526 proposed to establish a six-month part-time license to sell alcoholic beverages.

LD 531**An Act to Repeal the Requirement That Special Hours Be Set for Walk-in Voter Registration****ONTP**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| LEMONT KIEFFER | ONTP | |

LD 531 proposed to repeal the laws requiring voter registrars to be open during particular hours before an election, allowing municipal officers to change the registration schedule and prohibiting a clerk from delivering absentee ballots to third persons who are members of a candidate's immediate family.

LD 557**An Act to Amend Certain Election Laws Regarding Voter Registration****ONTP**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| UNDERWOOD | ONTP | |

LD 557 proposed to repeal election day registration, require voters to register at least 48 hours before polls open, and require voters to provide proof of identification when voting on election day. It also would have required town clerks to remove from the list of eligible voters those voters who have not voted in the two previous elections.

LD 563**An Act to Clarify Enforcement Provisions of the Gambling Laws****ONTP**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| MILLS | ONTP | |

LD 563 proposed to define illegal gambling machines and provide that illegal gambling machines and their monetary contents are subject to seizure and forfeiture in both civil and criminal proceedings. Seizure would have been pursuant to court process or without process if the seizure was incident to a search that was in conformity with constitutional requirements governing searches and seizures.

LD 574**Resolve, to Authorize the Secretary of State to Propose Legislation to Establish Package Stores for the Sale of Alcoholic Beverages****ONTP**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------------|---------------------------|
| GOODWIN | ONTP MAJ OTP MIN | |

LD 574 proposed to authorize the Secretary of State to draft proposed legislation to create a package store system to sell beer, wine and liquor in Maine. The Secretary of State would have been required to submit the proposed legislation to the Joint Standing Committee on Legal and Veterans' Affairs.

LD 576**An Act to Increase the Number of High-stakes Beano Games****VETO
SUSTAINED**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|----------------------------------|---------------------------|
| MOORE CASSIDY | OTP-AM MAJ ONTP MIN | H-146 |

LD 576 proposed to allow an organization licensed to operate high stakes beano to hold games on any weekend during the year. Current law limits an organization to 27 weekends per year.

Committee Amendment "A" (H-146) proposed to allow high-stakes beano games on 40 weekends and clarified that a weekend includes Fridays.

The bill was vetoed by the Governor.

LD 589**An Act to Amend the Mobile Home Park Laws Regarding Sales of Homes****PUBLIC 213**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|---------------------|-------------------------|---------------------------|
| LEMAIRE FERGUSON | OTP-AM | H-299 |

LD 589 proposed to prohibit a mobile home park owner from interfering with or discouraging the sale of a mobile home in that park to directly or indirectly profit from the tenant's inability to sell.

Committee Amendment "A" (H-299) proposed to remove the language specifying that interference is prohibited only if it is done in order to indirectly or directly profit.

Enacted law summary

Public Law 1997, chapter 213 prohibits a mobile home park owner from interfering with or discouraging the sale of a mobile home located in the owner's park.

LD 606**An Act to Amend the Off-track Betting Laws as They Pertain to
Reduced Payments for Small Market Licensees****PUBLIC 542**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| MICHAUD | ONTP MAJ | S-348 DAGGETT |
| PARADIS | OTP-AM MIN | |

LD 606 proposed to amend the law providing for reduced payments by off-track betting facilities that serve small markets. It clarified that a facility licensed before January 1, 1995 is eligible for reduced payments, regardless of whether the identity of the licensee changes after that date.

Committee Amendment "A" (S-258), the minority report, which was not adopted, proposed to expand the reduced payment option to any off-track betting facility which did not exceed certain weekly wager amounts.

Senate Amendment "A" (S-348) changed the date by which an off-track betting facility must be licensed in order to qualify for reduced payments from January 1, 1995 to April 1, 1997.

Enacted law summary

Public Law 1997, chapter 542 provides for reduced payments by an off-track betting facility that serves a small market area and is licensed as an off-track betting facility by April 1, 1997.

LD 613**An Act to Allow Primary Elections to Be Held on Saturdays****ONTP**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| AHEARNE | ONTP | |

LD 613 proposed to allow primary elections to be held on Saturdays.

LD 614**Resolve, Directing the Secretary of State to Create a Pilot Project to
Establish Voting by Mail****ONTP**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
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| AHEARNE | ONTP | |
| NUTTING | | |

LD 614 proposed to direct the Secretary of State to establish a pilot program for voting by mail, to be conducted at the next statewide primary election in at least one county.

LD 615**An Act Concerning the Removal of Campaign Signs****ONTP**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| AHEARNE | ONTP | |

LD 615 proposed to increase the amount of the forfeiture from \$100 to a minimum of \$200 and a maximum of \$500 that could be levied for political signs that were erected more than six weeks prior to an election or that were not taken down within a week after the election. The candidate or the candidate's political committee would have been required to pay the penalty.

LD 638**An Act to Amend the Law Regarding the Sale of Alcohol on Golf Courses****ONTP**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| CAMPBELL | ONTP MAJ | |
| CAREY | OTP MIN | |

LD 638 proposed to repeal the provision in current law that prohibits the sale of liquor on golf courses for consumption away from the licensed area.

LD 646**An Act to Limit Corporate Contributions and to Establish Voluntary Spending Limits for Citizen-Initiated Ballot Campaigns****ONTP**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| LEMKE | ONTP MAJ | |
| | OTP-AM MIN | |

LD 646 proposed to limit corporate contributions to citizen-initiated ballot campaigns to \$500 unless the corporation was a nonprofit corporation meeting certain criteria or the corporation formed a separate segregated fund financed by contributions from shareholders, employees or members of the corporation. The bill also would have established a voluntary spending limit for political action committees with regard to citizen-initiated ballot campaigns.

LD 672**An Act to Prohibit the State Auditor and Constitutional Officers from Engaging in Political Fund-raising Activities****ONTP**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| LIBBY | ONTP | |

LD 672 proposed to prohibit any political fund-raising activities by constitutional officers and the State Auditor and candidates for those offices.

LD 695

An Act to Amend Security Deposit Provisions for Residential Rental Units

PUBLIC 261

Sponsor(s)
CHIZMAR
JENKINS

Committee Report
OTP-AM

Amendments Adopted
H-333

LD 695 proposed to allow a landlord to retain a tenant's security deposit if the landlord incurs unanticipated costs for the cleaning of the rented premises.

Committee Amendment "A" (H-333) replaced the bill. It proposed to clarify that costs of cleaning a rental unit to return it to habitable condition are not sums attributable to normal wear and tear, and therefore the landlord may withhold those costs from the tenant's security deposit.

Enacted law summary

Public Law 1997, chapter 261 clarifies that costs of cleaning a rental unit to return it to habitable condition are not sums attributable to normal wear and tear, and therefore the landlord may withhold those costs from the tenant's security deposit.

LD 708

An Act to Protect Small, Independent Businesses Not Meeting Minimum Lottery Sales Requirements

CARRIED OVER

Sponsor(s)
FULLER
KILKELLY

Committee Report

Amendments Adopted

LD 708 proposes to require that an agent whose license is recommended for suspension or revocation by the Director of Alcoholic Beverages and Lottery Operations be immediately notified of the recommendation and given the opportunity to file within 15 days a statement in opposition to the director's recommendation.

The bill proposes to allow the State Lottery Commission to consider the impact that suspension or revocation of the license would have within the geographic area served, specify the procedure for appealing the commission's decision and authorize the commissioner to adopt rules necessary to implement the provision governing suspension and revocation of licenses.

This bill has been carried over to the second regular session.

LD 719

An Act to Provide Certain Renters with the Status of Tenant at Will

ONTP

Sponsor(s)
JONES K

Committee Report
ONTP

Amendments Adopted

LD 719 proposed to accord the legal status of tenant at will to a resident of a boardinghouse who rents the same premises for more than 60 consecutive days.

LD 723 **An Act to Establish a Residential Care Facility for Veterans in Washington County** **ONTP**

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| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
| GOODWIN | ONTP | |

LD 723 proposed to require the Board of Trustees of the Maine Veterans' Homes to establish a veterans' home in Washington County when federal funds become available for construction. The home would have provided residential care or assisted living care, and eligibility would have been determined using Medicaid eligibility standards in effect prior to enactment of the so-called "Med '94" standards.

LD 731 **An Act to Aid Municipalities by Eliminating Same Day Registration** **ONTP**

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| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
| LANE KIEFFER | ONTP | |

LD 731 proposed to repeal election-day voter registration and require a person to register at least 24 hours before the polls open on election day.

LD 740 **An Act to Permit the Temporary Removal of Gravestones from Cemeteries for the Purpose of Repair** **PUBLIC 193**

| | | |
|-------------------|-------------------------|---------------------------|
| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
| LAYTON | OTP-AM | H-224 |

LD 740 proposed to permit the removal of a gravestone or marker from a cemetery for repair or restoration if permission is granted and the repair can not be accomplished at the site.

Committee Amendment "A" (H-224) required notification to the municipality before removal of a memorial.

Enacted law summary

Public Law 1997, chapter 193 permits the removal of a gravestone or marker from a cemetery for repair or restoration if permission is granted, the municipality is notified prior to the removal and the repair can not be accomplished at the site.

LD 778

**Resolve, to Create a Voluntary Commission to Study the Integrity
of Political Advertisements and Their Effect on the Voters**

ONTP

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| LANE KIEFFER | ONTP | |

LD 778 proposed to establish the Voluntary Commission to Study the Integrity of Political Advertisements and their Effect on the Voters.

LD 782

An Act to Ensure the Availability of Expertise on Dam Safety

PUBLIC 517

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| NASS | OTP-AM | H-172 S-425 MICHAUD |

LD 782 proposed that a state dam inspector be available to provide technical assistance to the owners, lessees or persons in control of a dam or to a municipality in which a dam is located if the Director of the Maine Emergency Management Agency orders the owners, lessees or persons in control of the dam to correct unsafe conditions.

Committee Amendment "A" (H-172) removed funding for fiscal year 1997-98 and retained the funding of a Dam Inspector position for fiscal year 1998-99. The amendment also added an effective date and a fiscal note to the bill.

Senate Amendment "A" (S-353) delayed the effective date and reduced the General Fund Appropriation.

Enacted law summary

Public Law 1997, chapter 517 provides for the appropriation of funds for one dam inspector position to carry out dam inspections and provide technical assistance.

LD 817

**An Act Relating to the Use of Public Offices or Agency Facilities in
Campaigns and Ballot Questions**

ONTP

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| DAGGETT | ONTP | |

LD 817 proposed to prohibit an elected official or the official's employee from using a public office or agency facilities to assist a campaign for the election of any person to any office or to promote or oppose any ballot proposition.

LD 824 **An Act to Allow Limited Partnerships between Brewers and Wholesalers** **ONTP**

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| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
| FERGUSON | ONTP | |

LD 824 proposed to allow brewers and wholesalers to form limited partnerships in order for the brewer to be the limited partner and the wholesaler to be the general partner. Consistent with the Maine Revised Uniform Limited Partnership Act, only the general partner would be involved in day-to-day management. The bill also proposed a 10-year maximum term for any limited partnership established pursuant to this bill.

LD 845 **An Act to Prohibit the Clerk of the House and the Secretary of the Senate from Participating in Political Activities while in Office** **ONTP**

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| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
| CAMPBELL GOLDTHWAIT | ONTP | |

LD 845 proposed to prohibit the Clerk of the House of Representatives and the Secretary of the Senate from participating in political activities while in office.

LD 850 **An Act to Reduce the Time Political Signs May Be Placed in the Public Right-of-Way** **ONTP**

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| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
| CIANCHETTE | ONTP | |

LD 850 proposed to further restrict the placement of political election signs in a right-of-way from the current law of not more than six weeks before the election to not more than three weeks before the election.

LD 864 **RESOLUTION, Proposing an Amendment to the Constitution of Maine to Clarify Voting Rights** **CON RES 1**

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| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
| BRENNAN MILLS | OTP-AM | H-129 |

LD 864 proposed an amendment to the Constitution of Maine to remove language providing that persons under guardianship for reasons of mental illness are disqualified from voting and require that the proposed change be put out to referendum at the next statewide election.

Committee Amendment "A" (H-129) added a fiscal note to the resolution.

Enacted law summary

Constitutional Resolution 1997, chapter 1 proposes an amendment to the Constitution of Maine to remove language providing that persons under guardianship for reasons of mental illness are disqualified from voting and requires that the proposed change be put out to referendum at the next statewide election.

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| LD 867 | An Act to Clarify the Requirement for Party Affiliation of Replacement Candidates | ONTP |
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| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| BUTLAND BARTH | ONTP | |

LD 867 proposed to establish the same party enrollment qualifications for replacement candidates to certain state offices as exist for candidates for primary nomination under the Maine Revised Statutes, Title 21-A, section 334. Under this bill, a replacement nominee would have to be enrolled in the same political party as the original candidate by March 15th.

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| LD 881 | An Act to Impose Liability Upon Persons Who Entrust Motor Vehicles to Unsafe Drivers | ONTP |
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| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| MILLS | ONTP | |

LD 881 proposed to require a liquor licensee to carry a liquor liability insurance policy with minimum coverage of \$300,000 per occurrence; provide civil liability for a person who knowingly or with reason to know allowed an unlicensed driver to drive that person's vehicle; provide Class E criminal liability for a person having control of a motor vehicle who permitted another person to operate the vehicle knowing or having reason to know that the person was under the influence of alcohol or has no license or privilege to operate the motor vehicle; change the liquor liability law cap from \$250,000 plus medical expenses to \$250,000 plus all economic losses including medical expenses, loss of income or earning capacity and loss due to death and burial costs. The bill also would have divided the damages payable by the server and the intoxicated person into two parts and provided that for the first half of damages, both parties are jointly and severally liable; for the other half, the damages are divided based on percentage of fault. Finally, the bill would have altered the notice requirement.

LD 884

**An Act to Reimburse Philip Wolley for Litigation Expenses
Incurred in Connection with His Termination and Reinstatement as
a State Employee**

ONTP

Sponsor(s)
MURRAY
BAKER C

Committee Report
ONTP

Amendments Adopted

LD 884 proposed to appropriate \$28,000 to reimburse Philip Wolley for litigation expenses incurred in connection with his termination and subsequent reinstatement as a state employee.

LD 885

**An Act to Amend the Qualifications of the Administrator of the
Maine Veterans' Homes**

PUBLIC 147

Sponsor(s)
BENNETT
GAGNE

Committee Report
OTP-AM

Amendments Adopted
S-97

LD 885 proposed to expand the pool of applicants qualified to administer the Maine Veterans' Homes' five nursing home facilities by eliminating the requirement that the administrator of the Maine Veterans' Homes be a war veteran.

Committee Amendment "A" (S-97) removed the qualification that would have allowed any eligible individual to be an administrator. The amendment reinstated the language to clarify that the administrator must be a veteran, although not a "war veteran," which would expand the pool of applicants and still retain the veteran requirement.

Enacted law summary

Public Law 1997, chapter 147 provides that an administrator of the Maine Veterans' Homes must be a veteran, not a "war veteran" as previously required. This will expand the pool of applicants, while still maintaining the veteran requirement.

LD 898

An Act to Repeal the Presidential Primary

**DIED BETWEEN
BODIES**

Sponsor(s)
LOVETT
PENDLETON P

Committee Report
ONTP MAJ
OTP-AM MIN

Amendments Adopted

LD 898 proposed to repeal the presidential preference primary in Maine.

LD 921**An Act to Amend the Laws Regarding Beano and Bingo****ONTP**

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| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
| O'NEAL | ONTP | |

LD 921 was a concept draft pursuant to Joint Rule 208. The bill proposed to amend the laws governing beano in the following ways: Change the maximum payout from \$1,400 to \$2,000; provide for new machines with verifying equipment; clarify the procedures to be followed when problems arise, such as when "beano" is invalidly called; addressed the issue of uniformity in house rules; it also proposed to clarify the law authorizing the Chief of the State Police to make and adopt rules governing beano; prohibit persons under 16 years of age from admittance to the playing area; and require that rules adopted governing "beano" be published in a format that allows them to be placed in a binder to save money on printing.

LD 924**An Act to Clarify the Responsibilities of Directors of Nonprofit Corporations****ONTP**

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| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
| COWGER | ONTP | |

LD 924 proposed to require that corporate records of a nonprofit corporation pertaining to expenditure of funds received from any source be made available to the public within 10 days of a request.

LD 936**An Act to Permit Voters to Affirmatively Vote against All Named Candidates****ONTP**

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| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
| GERRY | ONTP | |

LD 936 proposed to require the inclusion of the choice "None of the above" on primary election ballots, presidential preference primary ballots and general election ballots.

LD 949**An Act Regarding the Wording of Ballot Questions****ONTP**

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| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
| RUHLIN FISHER | ONTP | |

LD 949 proposed to require the Secretary of State, in writing the ballot question for citizen-initiated legislation, to include a description of each major element of the law at issue. It also would have given the Secretary of State flexibility to write the question to avoid confusion about the impact of an affirmative vote.

LD 965**RESOLUTION, Proposing an Amendment to the Constitution of
Maine to Provide for a Passamaquoddy Representative District****ONTP**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|--------------------------------|---------------------------|
| MOORE | ONTP MAJ OTP-AM MIN | |

LD 965 proposed an amendment to the Constitution of Maine requiring the creation of a state legislative district consisting solely of all Passamaquoddy Indian Reservation lands.

LD 970**An Act to Put to Referendum the Option of Authorizing a Tribe-
owned Casino****ONTP**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| MOORE HALL | ONTP | |

Subject to public referendum, LD 970 proposed to require the Governor to negotiate a compact with the Passamaquoddy Tribe regarding the operation of electronic and table games of chance on Passamaquoddy Indian Reservation lands.

LD 971**An Act to Protect Private Enterprise from Tax-subsidized
Competition****ONTP**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| GOOLEY | ONTP | |

LD 971 proposed that nonprofit corporations obtain the same licenses, certification and registrations required of private enterprise when they compete with unsubsidized private corporations for state-funded projects or sales. The bill would have prohibited secondary schools or postsecondary educational institutions that receive state financial support and the Maine State Prison from competing with an unsubsidized or private business or corporation for a project.

LD 977**An Act to Establish the Rider Safety Act****PUBLIC 303**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| KERR MICHAUD | OTP | H-454 TUTTLE |

LD 977 proposed to enact the Rider Safety Act to delineate safe conduct by amusement ride riders. It set forth a code of conduct for amusement ride riders, a requirement for the reporting of injuries sustained on amusement rides

to amusement owners, qualifications for those riding amusement rides and a requirement for the posting by amusement owners of instructional signs. The bill provided criminal penalties for violations of the Rider Safety Act.

House Amendment "A" (H-454) deleted the specific penalty provisions and replaced them with language specifying that the bill did not preclude any criminal or civil action available under any other law.

Enacted law summary

Public Law 1997, chapter 303 enacts the Rider Safety Act to delineate safe conduct by amusement ride riders. It sets forth a code of conduct for amusement ride riders, a requirement for the reporting of injuries sustained on amusement rides to amusement owners, qualifications for those riding amusement rides and a requirement for the posting by amusement owners of instructional signs.

LD 986 An Act to Allow Independent Voters to Vote in Primary Elections ONTP

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| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
| LEMKE | ONTP | |

LD 986 proposed to allow an unenrolled voter to vote in a primary by allowing the voter to choose in which party's primary the voter would like to participate.

LD 989 An Act to Grandfather Existing Structures in Relation to Fire Doors and Exits CARRIED OVER

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| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
| TUTTLE | | |

LD 989 proposes to grandfather structures existing before September 1, 1994 from Life Safety Code 101 requirements regarding fire doors and exits. This bill has been carried over to the Second Regular Session.

LD 1004 An Act to Provide Equal Political Rights for Employees PUBLIC 498

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| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
| HATCH | OTP-AM | H-429 |
| CATHCART | | H-749 HATCH |

LD 1004 proposed to expand and further detail the prohibitions on political activity for classified state employees. The bill also removed the restrictions on classified state employees relating to fund raising and political contributions on nonwork time when no conflict of interest exists.

Committee Amendment "A" (H-429) expanded current restrictions on political activities to members of the executive branch in the unclassified service, made technical changes and also added a new section which specified political activities in which members of the classified and unclassified service could participate.

House Amendment "A" (H-740) clarified the nature of prohibited political activities and made several technical corrections.

Enacted law summary

Public Law 1997, chapter 498 expands and details the prohibitions on political activity for classified state employees and unclassified employees in the executive branch. It also specifies political activities in which members of the classified and unclassified service may participate.

LD 1029 An Act to Provide Fairness in Ballot Access ONTP

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| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
| THOMPSON | ONTP | |

LD 1029 proposed to make the number of signatures required for listing an unenrolled candidate on a ballot for President of the United States, United States Senator and United States Representative the same as the number required for party candidates to be listed on a primary ballot for that office.

LD 1047 An Act to Prohibit Persons Registering to Vote from Voting Unless They Provide Adequate Identification ONTP

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| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
| MERES | ONTP | |

LD 1047 proposed to repeal the law allowing a person who registers to vote within 15 days of an election to cast a challenged ballot if the person does not provide satisfactory proof of identity and residency.

LD 1056 An Act to Authorize Courts to Suspend Driving Privileges for Youth Who Violate Tobacco Laws ONTP

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| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
| MILLS | ONTP | |

LD 1056 proposed to amend the existing law to strengthen the penalties the court may impose on persons under 18 years of age for the purchase, possession and use of tobacco products or use of false identification to purchase tobacco products. These provisions would be similar to the ones imposed on minors who are convicted of illegal possession or transportation of alcohol.

LD 1072 An Act Pertaining to the Sanford National Guard Armory CARRIED OVER

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| <u>Sponsor(s)</u> TUTTLE MACKINNON | <u>Committee Report</u> | <u>Amendments Adopted</u> |
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LD 1072 proposes to sell the Sanford Armory for \$1.00 to the Town of Sanford. This bill has been carried over to the Second Regular Session.

LD 1075 An Act to Protect the Reputation of Candidates for Public Office ONTP

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| <u>Sponsor(s)</u> JOY | <u>Committee Report</u> ONTP | <u>Amendments Adopted</u> |
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LD 1075 proposed to make it a civil violation for a person to sponsor political advertising that contains a false statement of material fact. The person must have acted with actual malice and with knowledge that the statement is false or with reckless disregard of whether the statement was false.

LD 1094 An Act to Prohibit the Sale of Kegs of Beer to Individuals ONTP

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| <u>Sponsor(s)</u> HATCH | <u>Committee Report</u> ONTP MAJ OTP MIN | <u>Amendments Adopted</u> |
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LD 1094 proposed to prohibit the sale of malt liquor in kegs to individuals unless individuals are agents of a licensee or licensed establishment.

LD 1146 Resolve, to Authorize Robert Gray or His Legal Representative to Bring a Civil Action against the State in Order to Investigate Errors Made by State Officials That Caused Children to Erroneously Believe They Had Been the Victims of a Crime ONTP

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| <u>Sponsor(s)</u> BERRY D | <u>Committee Report</u> ONTP | <u>Amendments Adopted</u> |
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1146 proposed to authorize Robert Gray to sue the State and to authorize the release of certain confidential information pertaining to Robert Gray's claim that errors made by state officials caused children to believe that they had been victims of a crime.

LD 1161**An Act to Extend Political Party Status to 4 Years****ONTP**

Sponsor(s)
GERRY

Committee Report
ONTP

Amendments Adopted

LD 1161 proposed to require political parties to satisfy the 5% presidential or gubernatorial vote or the 5% petition requirement only once every four years instead of every two years.

LD 1170**An Act to Amend Department of Defense and Veterans' Affairs Laws****PUBLIC 455**

Sponsor(s)
DAGGETT
TUTTLE

Committee Report
OTP-AM

Amendments Adopted
S-114

LD 1170 was an omnibus bill for the Department of Defense and Veterans' Services. The bill proposed a number of technical changes as well as a number of substantive changes. (The substantive changes are outlined in the "Enacted law summary.")

Committee Amendment "A" (S-114) clarified a potential interpretation problem by clarifying that volunteers would not have to be paid 12 times the minimum wage.

The amendment maintained statutory qualifications for the positions of Adjutant General and Adjutant General's assistant.

The amendment also added an appropriation section and a fiscal note to the bill.

Enacted law summary

Public Law 1997, chapter 455 makes a number of technical changes as well as several substantive changes as follows:

The bill restores the Division of Veterans' Services to bureau status as it had existed before 1991 and renames it as the Bureau of Maine Veterans' Services.

The bill specifies that the Maine National Guard may charge for services provided with state authorization. The money collected pays the costs of providing those services.

The bill replaces the Director of Civil Emergency Preparedness with the Director of the Maine Emergency Management Agency, and restores the Director of the Bureau of Maine Veterans' Services to pay range 85.

The bill provides an automatic extension of the power of attorney that a member of the United States Armed Forces Reserves used to provide a temporary guardian in their place in the event of their mobilization. If the mobilization exceeded six months, then that power of attorney would be automatically extended until 30 days after the service member returns from duty or until order of the court.

LD 1172

An Act Regarding the Funded Depreciation Accounts of the Maine Veterans' Homes

PUBLIC 98

Sponsor(s)
BENNETT
GAGNE

Committee Report
OTP

Amendments Adopted

LD 1172 proposed to allow the Maine Veterans' Homes to more easily meet cumulative cash flow deficit requirements for working capital loan portions of tax-exempt bond issues under the federal tax code.

Enacted law summary

Public Law 1997, chapter 98 makes it easier for the Maine Veterans' Homes to issue tax-exempt working capital loans while continuing to maintain the funded depreciation accounts. The Federal Treasury regulations require that any money contained in a funded depreciation account, must be reimbursed in compliance with a Legislative requirement.

LD 1212

An Act to Strengthen Legislative Ethics Laws

ONTP

Sponsor(s)
DONNELLY
BENNETT

Committee Report
ONTP

Amendments Adopted

LD 1212 proposed to prohibit legislators, legislative candidates and employees and officers of the Legislature from accepting or soliciting gifts from a lobbyist or lobbyist employer except under specified listed circumstances.

LD 1261

An Act Concerning Public Notice of Lottery Odds

PUBLIC 301

Sponsor(s)
PERKINS

Committee Report
OTP-AM

Amendments Adopted
H-427

LD 1261 proposed to require the State Lottery Commission to give notice to a person purchasing a lottery ticket in the State of the odds of winning in a game of chance by printing the odds on the face of the lottery ticket.

Committee Amendment "A" (H-427) clarified that all lottery tickets must include the overall odds of winning a prize.

Enacted law summary

Public Law 1997, chapter 301 requires the Director of the Bureau of Alcoholic Beverages and Lottery Operations to have printed on all lottery tickers the overall odds of winning a prize.

LD 1270**Resolve, to Waive Sovereign Immunity and Tort Claims Limitation
on Damages Relative to the Wrongful Death of Wrendy Hayne****ONTP**Sponsor(s)
AMERO
JONES KCommittee Report
ONTPAmendments Adopted

LD 1270 proposed to authorize Janice Burns as personal representative of the estate of Wrendy Hayne to sue the State for damages resulting from the alleged treatment and subsequent murder of Wrendy Hayne at the Augusta Mental Health Institute. As a result of negotiations during the legislative session, the State and Mrs. Burns came to a settlement in the case.

LD 1297**An Act Pertaining to Free Meals for Legislators during a Prayer
Breakfast****PUBLIC 223**Sponsor(s)
BENOIT
JOYCommittee Report
OTPAmendments Adopted

LD 1297 proposed to allow Legislators to receive a free meal if it was during a prayer breakfast or during a meeting to establish a prayer breakfast.

Enacted law summary

Public Law 1997, chapter 223 amends the criminal law prohibiting gifts to Legislators, to allow a legislator to receive a free meal at a prayer breakfast.

LD 1300**An Act to Increase the Number of Signatures Required for a Name
to Appear on the Ballot for Certain Offices****ONTP**Sponsor(s)
RUHLINCommittee Report
ONTPAmendments Adopted

LD 1300 proposed to double the number of signatures required for a candidate to appear on a primary ballot or for a third-party candidate to appear on an election ballot for the offices of President of the United States, United States Senator, Representative to Congress and Governor. The bill also would have repealed the provision that permits a candidate to appear on a presidential primary ballot without submitting a petition with signatures.

LD 1306 **An Act to Place Certain Restrictions on Persons Collecting Signatures on Election Day** **ONTP**

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| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
| TRIPP | ONTP | |

LD 1306 proposed to authorize town clerks to publish guidelines as to location, conduct and number of petitioners circulating petitions on election day.

LD 1316 **An Act to Remove Restrictions on Items that May Be Auctioned by Public Broadcasting Stations** **PUBLIC 483**

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| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
| MITCHELL J | OTP-AM MAJ ONTP MIN | H-270 S-190 DAGGETT |

LD 1316 proposed to allow a brewery, winery or wholesaler to donate a gift certificate to purchase its product to a public broadcasting station for the purpose of an auction or other fundraising activity.

Committee Amendment "A" (H-270) removed the phrase "or other fundraising activity" to clarify that the bill applies only to auctions.

Senate Amendment "A" (S-190) removed the emergency preamble and emergency clause from the bill.

Enacted law summary

Public Law 1997, chapter 483 allows a brewery, winery or wholesaler to donate a gift certificate to purchase its product to a public broadcasting station for the purpose of an auction.

LD 1317 **An Act to Prohibit Party Change While in Public Office** **ONTP**

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| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
| HATCH | ONTP | |

LD 1317 proposed to prohibit a public official from changing party membership while holding public office, except during the last 30 days of the official's term.

LD 1342**An Act to Improve Procedures for Citizen Referenda and Initiatives****ONTP**Sponsor(s)
MILLSCommittee Report
ONTPAmendments Adopted

LD 1342 proposed to make a number of changes in the law regarding the citizen initiative process. With regard to the collecting of signatures on a petition, the bill would have required that a copy of the full text of the proposed law be offered to each potential signer and that signatures in a number equal to at least one percent of the required number of signatures be collected from each county. It also would have required that persons collecting signatures inside or within 250 feet of a voting place be located so that voters can exit the voting place without passing immediately by that location. With regard to voting on an initiated ballot question, the bill would have required the summary prepared by the Revisor of Statutes to appear on the ballot after the initiative question and would have required that a copy of the full text of the proposed law be available for inspection at the voting place on election day.

LD 1350**An Act to Require the Printing of the Toll-free Telephone Number of the Council on Compulsive Gambling on all Lottery Tickets Sold in the State****ONTP**Sponsor(s)
MACK
HALLCommittee Report
ONTPAmendments Adopted

LD 1350 proposed to require that the toll-free telephone number of the Council on Compulsive Gambling, or its successor organization, be printed in bold type on the face of all lottery tickets sold in the State.

LD 1360**An Act Allowing Political Parties to Nominate by Caucus or Convention****ONTP**Sponsor(s)
GERRYCommittee Report
ONTPAmendments Adopted

LD 1360 proposed to clarify how and when minor political parties may choose their method of nominating candidates. It provided for nomination by primary, following the current procedure for primary nominations, or by caucus or convention. It would have required a minor party to notify the Secretary of State of its nominees within 10 days after the party's primary, caucus or convention. It would have also required all parties to notify the Secretary of State no later than December 15th prior to an election year of the enrollment qualifications of voters eligible to vote in that party's primary, caucus or convention.

LD 1361**An Act to Amend the Laws Concerning Commercial Tenancies****ONTP**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| DEXTER | ONTP | |

LD 1361 proposed to allow a landlord of commercial property to exercise the right of reentry by self-help, such as changing locks or shutting off electricity, provided there is no breach of the peace and provided other conditions are met. It also would have established a separate process for forcible entry and detainer actions for commercial tenancies. It would have provided for agreements to arbitrate disputes between commercial landlords and tenants and it would have provided a presumption of abandonment of commercial premises when the tenant does not conduct business activity on the premises for a continuous period of two weeks.

LD 1376**An Act to Improve the State's Democracy by Increasing Access to the Ballot and Other Election Processes****INDEF PP**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| DAGGETT | OTP-AM MAJ | |
| TUTTLE | OTP-AM MIN | |

LD 1376 proposed to increase access to the ballot and other election processes for new parties, unenrolled candidates and unenrolled voters by requiring a 5% vote or petition requirement to be met every four years instead of every two years; allowing any registered voter to sign a petition to form a new political party so long as the voter is not enrolled in a political party other than the one being formed; clarifying the petition filing procedures for new political parties by adding a separate and earlier deadline for petitions to be submitted to local election officials before they are submitted to the Secretary of State; allowing registered voters who are not enrolled in a political party to serve as elections clerks on election day; improving access to municipal lists of registered voters; prohibiting use of the word "independent" as the name of a political party so that it may be used only by candidates who do not belong to any political party; and declaring a proposed political party to be a legally qualified political party whenever it first meets the 5% threshold requirement of collecting signatures or winning votes.

LD 1389**An Act to Allow Partially Consumed Bottles of Wine to be Taken from Restaurants****PUBLIC 306**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| SAXL M | ONTP MAJ | H-308 |
| DAGGETT | OTP-AM MIN | |

LD 1389 proposed to allow restaurant patrons to transport unfinished bottles of wine purchased at the restaurant from the premises. It required that the wine must be ordered with a meal by patrons and the wine must be partially consumed on the premises. The purchaser could not be visibly intoxicated and the partially consumed bottle of wine must be resealed and bagged by the licensee.

Committee Amendment "A" (H-308) clarified the penalty provision and exempted the transport of liquor for partially consumed bottles of wine with certain restrictions.

Enacted law summary

Public Law 1997, chapter 306 allows restaurant patrons to take home an unfinished bottle of wine purchased at the restaurant, as long as the patron ordered the wine with the meal, is not visibly intoxicated and the bottle is resealed by the restaurant.

LD 1390**An Act to Protect the Voting Rights of Stalking Victims****PUBLIC 248**

Sponsor(s)
SAXL M
KILKELLY

Committee Report
OTP-AM

Amendments Adopted
H-332

LD 1390 proposed to prohibit a voter registrar from allowing public inspection of a voter's address if the voter has signed a statement that the physical safety of the voter or a member of the voter's family residing with the voter is jeopardized by public disclosure of the address. The address must be disclosed to law enforcement authorities who request it and to persons specified in a court order. The voter's name, political affiliation, electoral district and the sworn statement would remain subject to public inspection.

Committee Amendment "A" (H-332) adds a mandate preamble and changes "sworn statement" to "signed statement".

Enacted law summary

Public Law 1997, chapter 248 prohibits the registrar of voters from disclosing a voter's address if the voter has signed a statement that the physical safety of the voter or a member of the voter's family residing with the voter is jeopardized by public disclosure of the address.

LD 1446**An Act to Require That Campaign Finance Reports Be Considered
Filed on the Date They Are Postmarked****ONTP**

Sponsor(s)
GOODWIN

Committee Report
ONTP

Amendments Adopted

LD 1446 proposed to consider campaign finance reports postmarked on the date they are due to be timely filed.

LD 1458**An Act to Ensure Integrity in Government by Prohibiting
Contributions when the Legislature Is in Session****ONTP**

Sponsor(s)
DAVIDSON
LAWRENCE

Committee Report
ONTP

Amendments Adopted

LD 1458 proposed to prohibit a lobbyist from making a contribution to the Governor, a State Senator, a State Representative, a candidate for any of these offices or a legislative or gubernatorial political action committee during a legislative session and would have provided for a civil penalty not to exceed \$5,000 for a violation of the law. (See LD 1882)

LD 1515 An Act to Allow Unenrolled Voters to Serve as Election Workers at Polls ONTP

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|-----------------------------|--|---------------------------------|--|---------------------------|
| <u>Sponsor(s)</u> CLUKEY | | <u>Committee Report</u> ONTP | | <u>Amendments Adopted</u> |
|-----------------------------|--|---------------------------------|--|---------------------------|

LD 1515 proposed to allow registered voters who are not enrolled in a political party to serve as election workers.

LD 1520 An Act to Amend Various Election Laws ONTP

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|--|--|---------------------------------|--|---------------------------|
| <u>Sponsor(s)</u> BELANGER D CAREY | | <u>Committee Report</u> ONTP | | <u>Amendments Adopted</u> |
|--|--|---------------------------------|--|---------------------------|

LD 1520 proposed to make the following changes to the laws governing election practices:

1. Require a person appointed guardian of an incapacitated person who is registered to vote to notify the registrar of the appropriate municipality to remove the name of the incapacitated person from the voting list;
2. Require the Secretary of State to check the voting lists annually at random to ensure that the lists are current;
3. Prohibit a municipal clerk from serving as warden.
4. Require the chair of the municipal committee of each major party to appoint two ballot counters to count ballots after the polls close;
5. Provide the Secretary of State has the same power with respect to elections involving only municipal offices or issues as the Secretary of State has with respect to other elections; and
6. Allow a chair of the municipal committee of a major party to be present when a resident of a nursing home, boarding home or congregate housing unit casts an absentee ballot.

LD 1532 An Act to Amend the Maine Liquor Liability Act ONTP

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|-------------------------------|--|---------------------------------|--|---------------------------|
| <u>Sponsor(s)</u> THOMPSON | | <u>Committee Report</u> ONTP | | <u>Amendments Adopted</u> |
|-------------------------------|--|---------------------------------|--|---------------------------|

LD 1532 proposed to require all licensees serving liquor to obtain at least \$250,000 of liquor liability insurance.

LD 1547 **An Act to Require that All State-owned Flag Poles Fly the Prisoner-of-war Flag** **ONTP**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| BOLDUC RAND | ONTP | |

LD 1547 proposed to require that the prisoner-of-war flag be flown from each flag pole where the state flag is flown.

LD 1549 **An Act to Promote Microbreweries** **PUBLIC 228**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| SAXL M | OTP-AM | H-269 |

LD 1549 proposed to allow the holder of a brewery license or small brewery license to offer its malt beverages to licensed retailers for the purposes of taste testing the product. Current law allows one license at one location.

Committee Amendment "A" (H-269) replaced the original bill and established conditions in which a brewery, small brewery, farm winery or wholesaler may give a retail licensee samples of products.

Enacted law summary

Public Law 1997, chapter 228 allows persons licensed as a small brewery, farm winery or wholesaler to give retail licensees samples of products. The samples must comply with certain conditions.

LD 1550 **An Act to Prohibit Landlords from Collecting Rent More than 3 Months in Advance** **ONTP**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|---------------------|-------------------------------|---------------------------|
| STEVENS CATHCART | ONTP MAJ OTP MIN | |

LD 1550 proposed to prohibit a landlord from collecting rent more than three months in advance of the date the rent is due.

LD 1563**An Act to Allow Wine to Be Ordered by Mail****ONTP**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| GOLDTHWAIT | ONTP | |

LD 1563 proposed to allow the purchase of wine through the mail.

LD 1572**An Act to Make Technical Changes in the Laws Relating to the Sale of Alcoholic Beverages****PUBLIC 373**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| CAREY TUTTLE | OTP-AM | H-521 LABRECQUE S-182 |

LD 1572 proposed to update statutory provisions to reflect changes made in unallocated language in Public Law 1993, chapter 410, Parts XX and ZZ. Part XX of that law combined the State Liquor Commission and the State Lottery Commission into the State Liquor and Lottery Commission. Part ZZ transferred the licensing functions and the taxation responsibilities of the Bureau of Liquor Enforcement from the Department of Administrative and Financial Services to the Department of Public Safety. This bill also amended the liquor laws to correct gender references, repeal obsolete provisions and make other technical changes to reflect current drafting standards.

Committee Amendment "A" (S-182) incorporated in the bill changes that were made in the Maine Revised Statutes, Title 28-A, section 606 by Public Law 1997, chapter 24. It also corrected references and made several other technical changes.

House Amendment "A" (H-521) made corrections to the list of state liquor stores to reflect current conditions.

Enacted law summary

Public Law 1997, chapter 373 updates statutory provisions to reflect changes made in unallocated language in Public Law 1993, chapter 410, Parts XX and ZZ. Part XX of that law combined the State Liquor Commission and the State Lottery Commission into the State Liquor and Lottery Commission. Part ZZ transferred the licensing functions and the taxation responsibilities of the Bureau of Liquor Enforcement from the Department of Administrative and Financial Services to the Department of Public Safety. This law also corrects gender references, repeals obsolete provisions and makes other technical changes to reflect current legislative drafting standards.

LD 1630**An Act to Amend the Campaign Finance Reform Laws****ONTP**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| GOLDTHWAIT | ONTP | |

LD 1630 proposed to prohibit a member of the Legislature from soliciting campaign contributions from any person during a legislative biennium, and would have prohibited any person from making campaign contributions during that time. This bill also would have limited to \$1,000 the amount a corporation, association, political committee or other committee may contribute in support of the candidacy of one person. (See LD 1882)

LD 1650 An Act to Optimize the Utility of the 5 Maine Veterans' Homes INDEF PP

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|--------------------|-------------------------|---------------------------|
| WINGLASS RUHLIN | OTP-AM | H-651 |

LD 1650 proposed to allow the Maine Veterans' Homes, not the Department of Human Services, to receive and retain the stipend provided by the federal Veterans' Administration and awarded to each Maine veteran who served on active duty in the armed forces during stipulated wartime periods. The bill would have extended the opportunity for admission to Maine Veterans' Homes to all Maine veterans who have recorded at least 180 days of active service and are awarded honorable discharges and to the "gold star" parents of armed service members who died in combat or as a consequence of wounds received on active duty in the armed forces.

The bill was moved into LD 1138, Part P in the supplemental budget bill. LD 1138 incorporates all of the language in 1650 except that it removes any references to eligibility standards for Medicaid and LD 1138 provides the necessary funding for the stipend funds.

LD 1655 An Act to Prohibit Fund-raising Efforts and Certain Contributions ONTP
to Legislators while the Legislature is in Session

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| AMERO BUCK | ONTP | |

LD 1655 proposed to prohibit members of the Legislature from soliciting and lobbyists, lobbyist associates and their employers from making campaign contributions during a legislative session, except for solicitation for bona fide social events hosted for nonpartisan purposes. (See LD 1882)

LD 1676 An Act to Preserve Live Harness Racing in the State CARRIED OVER

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| SPEAR NUTTING | | |

LD 1676 proposes to authorize the operation at existing regulated pari-mutuel facilities of video lottery terminals and establishes the State's share of net terminal income at 40%. This bill has been carried over to the Second Regular Session.

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| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
| DAGGETT | OTP-AM | S-212 |

LD 1683 proposed to require the court in any forcible entry and detainer action with regard to leasehold tenancies and tenancies at will to issue a writ of possession, when judgment is for the plaintiff, to be effective seven days after the judgment is rendered. The bill also proposed that the appeal period run from the day after the judgment is rendered. When the ground for termination of the tenancy was a rent arrearage, the appeal period would be three days and the appellant in such an appeal would be required to place the amount of rent arrearage in escrow.

Committee Amendment "A" (S-212) replaced the bill. It provided for issuance of the writ of possession seven calendar days after the judgment is entered. It clarified that the time for filing an appeal of a District Court judgment in a forcible entry and detainer action expires upon issuance of the writ of possession or 30 days from the time the judgment is entered, whichever occurs first. It also requires a defendant to pay the lesser of the rent arrearage or the unpaid portion of the current month's rent to the plaintiff or to the District Court at the time of an appeal to Superior Court and to pay rent that accrues during the appeal as a condition of maintaining the stay of the writ of possession.

Enacted law summary

Public Law 1997, chapter 336 provides for issuance of a writ of possession seven calendar days after the judgment is entered in a forcible entry and detainer action. It clarifies that the time for filing an appeal of a District Court judgment expires upon issuance of the writ of possession or 30 days from the time the judgment is entered, whichever occurs first. It also requires a defendant to pay the lesser of the rent arrearage or the unpaid portion of the current month's rent to the plaintiff or to the District Court at the time of an appeal to Superior Court and to pay rent that accrues during the appeal as a condition of maintaining the stay of the writ of possession.

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| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
| DAGGETT TUTTLE | OTP-AM | S-230 |

LD 1731 proposed to make minor technical changes in the election laws to correct statutory references and maintain consistency with changes to other sections of law. It also makes a number of substantive changes in election laws, which are noted in the "Enacted law summary"

Committee Amendment "A" (S-230) proposed to:

Change the number of years that the registrar must maintain records for a voter whose name has been removed from the list from 10 years to five years;

Add a provision that if the municipal officers fail to appoint a registrar to fill a vacancy within 15 days after the officers receive notice of the vacancy, then the municipal clerk appoints a registrar;

Continue to allow the use of a hunting or fishing license for residency identification;

Remove from the bill the provision that a person with a nontraditional residence need not have a mailing address in order to establish residency;

Amend the bill to clarify that the Governor issues a proclamation declaring a vacancy and establishes the deadline for filling the vacancy but the party committees establish the time and place to meet;

Clarify when residents of nursing homes may vote by absentee ballot;

Clarify that the distribution of any advertising material intended to influence a voter's decision is prohibited within 250 feet of the clerk's office, and that the law does not apply to private property, and subjects those materials to the current requirement that on election day all materials must be removed. The amendment clarifies that campaign advertising on an automobile or on a campaign button is permissible when a person is visiting a municipal office for the purpose of conducting municipal business or voting absentee; and

Remove a section of the bill regarding the payment of petition circulators since this provision is now Public Law 1997, chapter 61.

Enacted law summary

Public Law 1997, chapter 436 makes numerous changes in the election laws. The law:

Expands the definition of "immediate family" to include stepparents, stepchildren and step siblings;

Changes the timing of appointment of the registrar of voters. Current law requires the municipal officers to appoint a registrar within 10 days of the regular election of municipal officials. This bill requires the municipal officers to appoint the registrar on a two-year cycle, beginning January 1st of the off-election year;

Changes the cutoff date for mail-in voter registrations from 15 regular days before the election to 10 business days;

Changes the hours that the registrar's office must be open during the last five business days that the clerk's office is open before an election. Current law requires the registrar to be open from 1-5 p.m. and 7-9 p.m. on three of the last five days. This bill requires that the registrar be open for two hours in the evening, anytime between 5 and 9 p.m., on three of those days;

Clarifies that a voter cannot withdraw party enrollment and enroll in a different party for 15 days after the withdrawal;

Changes the deadline for parties to hold their municipal caucuses and certify them to the Secretary of State, from April 15th to March 20th;

Requires the chair and secretary of each state party committee to certify their party platform and presidential electors within 30 days, instead of 60 days, after the state convention;

Allows a candidate for presidential elector to file for one additional federal, state or county office at the same election;

Streamlines the process for identifying replacement candidates in the event of a vacancy.

Allows political parties to determine who may participate in the party's presidential preference primary;

Allows a handicapped voter whose voting place is not handicap accessible to vote either by absentee ballot in the clerk's office or other location that has been designated handicapped accessible or to vote by regular ballot at the central voting place if the municipality uses a central voting place;

Adds a reason for a voter's ballot to be challenged if the voter was provided with the wrong ballot for that voter's electoral district;

Clarifies the requirement to keep a list of challenged voters that can be made available for public inspection after the polls close;

Increases the threshold that a write-in candidate must receive in order to be listed on the election tabulation by name, rather than as "other" from 1% to 5% of the vote;

Allows any voter to cast an absentee ballot in any election;

Allows the voter or the voter's immediate family to submit an absentee ballot application or written request by facsimile;

Clarifies the restrictions on political activities within 250 feet of the clerk's office during the time that absentee voting is occurring, so that it is consistent with the restrictions around the polling place on election day;

Allows a voter who receives an absentee ballot by mail to return the ballot by mail or in person; and

In a municipality that processes absentee ballots before the polls close on election day, allows candidates or their representatives, upon prior notification, to inspect the applications and envelopes of absentee ballots which have not yet been processed for 30 minutes after the declared processing time.

LD 1756

An Act Regarding the Economic Security and Safety of Harness Horsepersons

PUBLIC 474

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| TRUE | OTP-AM MAJ | H-683 TUTTLE |
| FERGUSON | ONTP MIN | H-706 TUTTLE |

LD 1756 proposed several changes to the laws governing harness racing. It required the Harness Racing Commission to adopt rules establishing an exclusive bargaining agent for harness horsepersons at each racing venue in the State. It also required each racetrack licensee to establish an account to hold purse money in trust for the benefit of harness horsepersons. All funds used to pay purses under current law must be deposited in the trust account. In addition, the bill required each live-racing licensee to deposit in the trust account an additional sum of

money to be used for purses. One and one-half percent of the account must be paid to the exclusive bargaining agent.

The bill would require an applicant for a racetrack license to disclose the name and address of each person with control or with a legal or equitable interest in the applicant or any entity that owns or controls the applicant. These persons must also meet the same standards of integrity and financial responsibility as the applicant.

The bill required the Harness Racing Commission to treat simulcasting at a racetrack the same as simulcasting at an off-track betting parlor during the time the racetrack is not conducting live racing.

The bill amended the definition of "commercial racetrack" to include tracks that conduct live racing on the required number of days in any calendar year instead of in the previous two calendar years.

The bill allowed the commission to issue licenses with conditions.

The bill repealed the provision of law that requires every commercial racetrack to be given all the race dates it requests if it raced on those dates in the preceding year.

Committee Amendment "A" (H-563), which was not adopted, would have changed the percent payable for purses. The amendment would also have simplified the process for certifying the exclusive bargaining agent and clarified that the permitted use of trust funds included reimbursement of purse account over payments.

House Amendment "A" (H-683) proposed to:

1. Establish a Trust Account for the horsepersons who race at each facility;
2. Preserve the two-year waiting period before new tracks can qualify as commercial tracks, but creates an exception in the event that an existing commercial track closes;
3. Provide that licenses to operate race tracks and simulcasting facilities and the assignment of race dates are for two-year periods, so that those licenses will be coextensive with the two-year term for the certification of bargaining agents to represent licensed harness horse owners, trainers and drivers;
4. Amend the provisions relating to the trust accounts to allow for tracks to borrow from those accounts; and
5. Amend the provisions relating to the election of bargaining agents to provide for separate biannual elections with respect to each of three separate racing segments within the harness racing industry.

House Amendment "A" to House Amendment "A" (H-706) proposed to clarify language to make it consistent with language in other sections of the legislation and corrected a typographical error.

Enacted law summary

Public Law 1997, chapter 474 makes a number of changes to the harness racing industry including:

1. Establishes a Trust Account for the horsepersons who race at each facility;
2. Preserves the two-year waiting period before new tracks can qualify as commercial tracks, but creates an exception in the event that an existing commercial track closes;

3. Provides that licenses to operate race tracks and simulcasting facilities and the assignment of race dates are for two-year periods, so that those licenses will be coextensive with the two-year term for the certification of bargaining agents to represent licensed harness horse owners, trainers and drivers;
4. Amends the provisions relating to the trust accounts to allow for tracks to borrow from those accounts; and
5. Amends the provisions relating to the election of bargaining agents to provide for separate biannual elections with respect to each of three separate racing segments within the harness racing industry.

LD 1773 Resolve, Directing the Maine State Housing Authority to ONTP
Recommend Certain Safety Standards

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| DAGGETT KANE | ONTP | |

LD 1773 proposed to require the Maine State Housing Authority to recommend standards for security systems in housing projects for elderly persons and window safety to protect against persons falling from upper floors.

LD 1781 An Act to Create the Maine Scholarship Lottery Game ONTP

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
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| DAVIDSON | ONTP MAJ OTP-AM MIN | |

LD 1781 proposed to create a scholarship lottery game developed by the State Liquor and Lottery Commission. Proceeds from the game would have been used to provide funding for Maine Student Incentive Scholarship Program, administered by the Finance Authority of Maine, to provide grants for post-secondary education to students demonstrating financial need.

LD 1799 An Act to Privatize Liquor Sales CARRIED OVER

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| KERR AMERO | | |

LD 1799 proposes to remove the State from the liquor business, including both retail and wholesale sales. The current system for the sale of liquor would be replaced by a system currently used for the sale and distribution of beer and wine. A flat tax of \$3.50 per gallon would be assessed on all spirits, in addition to premium and sales

taxes. The intent of this level of taxation on liquor products is to allow enough pricing flexibility under the new system to recapture sales lost to New Hampshire.

The State would close all liquor-related operations as of January 1, 1998. All existing restrictions on agency store locations would be repealed. Any retailer may apply for a license. The initial license fee for the first year will be \$1,200 and \$1,000 annually for renewals for those retailers with annual sales in the prior year greater than or equal to \$400,000, \$600 and \$500, respectively, for retailers with annual sales less than \$400,000. Existing agency stores will be granted a one-year exemption from the renewal fee. Wholesalers that have had a presence in Maine for five years will have be able to apply for a wholesale liquor license for \$1,400 annually for a principal location and \$600 for each additional warehouse or distribution center. This bill has been carried over to the Second Regular Session.

LD 1818

An Act to Strengthen Existing Lobbying Laws

ONTP

Sponsor(s)
ETNIER

Committee Report
ONTP

Amendments Adopted

LD 1818 proposed to change the definitions of “lobbyist” and “employer;” require lobbyist associates and their activities to be included in certain reports filed by lobbyists; shorten the time period within which lobbyists and lobbyist associates must register with the Commission on Governmental Ethics and Election Practices; require lobbyists and lobbyist associates to wear name tags, to identify their employer when testifying before a joint standing committee of the Legislature and to fully disclose to each prospective employer any interest represented by the lobbyist or lobbyist associate that is adverse to the interests of the prospective employer. It also would have prohibited lobbyists, lobbyist associates and their employers from giving any official of the Legislature any pecuniary benefit and provided a definition of that term.

LD 1827

An Act to Authorize the Operation of Video Gaming Terminals by Certain Nonprofit Organizations

CARRIED OVER

Sponsor(s)
DAGGETT
DUNLAP

Committee Report

Amendments Adopted

LD 1827 proposes to authorize the operation of video gaming terminals at nonprofit organizations for members. The State’s share of the net terminal income would be 20%, with the remaining portion split evenly between the organizations and the owners of the machines. This bill has been carried over to the Second Regular Session.

LD 1828

An Act to Preserve Financial Integrity of the Bureau of Alcoholic Beverages and Lottery Operations

CARRIED OVER

Sponsor(s)
MICHAUD

Committee Report

Amendments Adopted

LD 1828 proposes several changes to the laws governing sales of alcoholic beverages.

1. It would repeal all references to "State Liquor Commission" and replaces it with the "Bureau of Alcoholic Beverages and Lottery Operations" and replaces the reference to "commission" in the Maine Revised Statutes, Title 28-A with "alcohol bureau."
2. It would mandate that the Bureau of Alcoholic Beverages and Lottery Operations relocate the discount liquor store in Kittery by September 1, 1997.
3. It would require the Bureau of Alcoholic Beverages and Lottery Operations to establish a special price allowance program.
4. It would require the Bureau of Alcoholic Beverages and Lottery Operations to place megabucks machines in all state liquor stores.
5. It would require the Bureau of Alcoholic Beverages and Lottery Operations to establish minimum inventory levels for all state liquor stores.
6. It would establish the Alcoholic Beverages Advisory Board.

This bill has been carried over to the Second Regular Session.

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| LD 1846 | An Act to Prohibit the Opening of Liquor Stores on the Maine Turnpike | CARRIED OVER |
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| <u>Sponsor(s)</u> DONNELLY | | <u>Committee Report</u> | | <u>Amendments Adopted</u> |
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LD 1846 proposes to repeal the provision authorizing the establishment of two discount liquor stores at Exit 3 of the Maine Turnpike and would enact a law prohibiting the location or operation of a liquor store on the Maine Turnpike. This bill has been carried over to the Second Regular Session.

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| LD 1856 | An Act to Allow Private Labeling of Wine for On-premise Consumption | ONTP |
|----------------|--|-------------|

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|------------------------------|--|---------------------------------|--|---------------------------|
| <u>Sponsor(s)</u> PLOWMAN | | <u>Committee Report</u> ONTP | | <u>Amendments Adopted</u> |
|------------------------------|--|---------------------------------|--|---------------------------|

LD 1856 proposed to establish a mechanism by which an on-premise retail licensee could obtain a private label for wine, with certain restrictions.

LD 1864**An Act to Implement the Majority Recommendation of the Harness Racing Task Force****PUBLIC 390**Sponsor(s)
SPEARCommittee Report
OTPAmendments Adopted

LD 1864 proposed to require a commercial track that is within a 35-mile radius of an agricultural fair to pay a certain percentage to the agricultural fair when simulcasting races during or on days when that commercial licensee is not conducting live racing. Further, this bill required a licensee conducting simulcasting to offer broadcasts originating in the State on monitors in the facility.

Enacted law summary

Public Law 1997, chapter 390 requires a commercial track within a 35-mile radius of an agricultural fair to pay a certain percentage to the agricultural fair when simulcasting races during or on days when that commercial licensee is not conducting live racing. Further, it requires a licensee conducting simulcasting to offer broadcasts originating in the State on monitors in the facility.

LD 1865**An Act to Implement the Recommendation of the Harness Racing Task Force Requiring an Executive Director of the State Harness Racing Commission****PUBLIC 527
EMERGENCY**Sponsor(s)
SPEARCommittee Report
OTP-AMAmendments Adopted
H-652

LD 1865, which contains one of the recommendations of the Harness Racing Task Force, proposed to eliminate the position of full-time chair of the State Harness Racing Commission and replace it with a position of executive director.

Committee Amendment “A” (H-652) appropriated money from the General Fund to pay for the Executive Director position.

Enacted law summary

Public Law 1997, chapter 527 eliminates the position of full-time chair of the State Harness Racing Commission and establishes an executive director position. Chapter 527 was enacted as an emergency measure effective June 12, 1997.

LD 1866**An Act to Allow the Maine Harness Racing Commission to Issue Conditional Licenses****PUBLIC 406**Sponsor(s)
CHIZMARCommittee Report
OTP-AMAmendments Adopted
H-608

LD 1866 proposed to grant the Maine Harness Racing Commission the authority to impose conditions on a license issued under the Maine Revised Statutes, Title 8, section 271.

Committee Amendment “A” (H-608) replaced the original bill and clarified that the commission could place conditions on a license based on the criteria established in statute.

Enacted law summary

Public Law 1997, chapter 406 gives the commission the option of imposing conditions on a license if one or more of the criteria established in statute are not met at the time the license is issued, but may be brought into compliance within a specified time period.

LD 1868

An Act to Implement the Recommendations of the Harness Racing Task Force

PUBLIC 528

| | | |
|-------------------|-------------------------|---------------------------|
| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
| SPEAR | OTP-AM | H-690 S-410 MICHAUD |

LD 1868 proposed to implement recommendations of the Harness Racing Task Force established by Executive Order No. 6 FY 95-96 to study the harness racing industry and made recommendations for improvements to the Governor and the Legislature.

The bill reorganized and clarified the regulatory, promotional and policy-making roles of the Harness Racing Commission, the Harness Racing Promotional Board and the Department of Agriculture, Food and Rural Resources. The bill replaced the full-time chair position for the Harness Racing Commission with an executive director position. The bill made the Harness Racing Promotional Board a public instrumentality. The bill clarified the license fee for racetracks and authorized the Harness Racing Commission to issue conditional licenses.

The bill provided for licensing fees for off-track betting facilities and clarified the need for annual renewals of off-track betting facility licenses and the authority of the Harness Racing Commission to approve days of operation.

The bill replaced the sections of law providing for the distribution of revenues from harness racing to make them easier to understand. It raised the cap on General Fund share to retain in the General Fund sufficient revenues to fund the costs of harness racing regulation.

Committee Amendment “A” (H-690) proposed to:

- Remove the provision creating the executive director position. The position was dealt with in LD 1865;
- Clarify the conditional license provision, by specifying that any conditions must be in accordance with the criteria established in that section;
- Return the cap on total wagers above which the General Fund share was divided among the commercial meet account, the Sire Stakes Fund and the Stipend Fund back to the amount in current law, which is \$33,500,000. The bill raised the cap to \$37,000,000; and

Clarify how assets are to be distributed if the Harness Racing Promotional Board ceases to exist.

Senate Amendment “A” (S-410) proposed to increase the cap on total wagers above which the General Fund share was divided among the commercial meet account, the Sire Stakes Fund and the Stipend Fund from \$33,500,000 to \$35,000,000.

Enacted law summary

Public Law 1997, chapter 528 reorganizes and clarifies the regulatory, promotional and policy-making roles of the Harness Racing Commission, the Harness Racing Promotional Board and the Department of Agriculture, Food and Rural Resources and makes the Harness Racing Promotional Board a public instrumentality.

The law clarifies the license fee for racetracks, authorizes the Harness Racing Commission to issue conditional licenses, provides for licensing fees for off-track betting facilities and clarifies the need for annual renewals of off-track betting facility licenses and the authority of the Harness Racing Commission to approve days of operation.

Chapter 528 replaces the sections of law providing for the distribution of revenues from harness racing to make them easier to understand and increases the cap on total wagers above which the General Fund share is divided among the commercial meet account, the Sire Stakes Fund and the Stipend Fund \$33,500,000 to \$35,000,000.

LD 1876 **Resolve, to Allow Certain Employees to Continue to Sue the State to Recover Wages Improperly Denied under Federal Wage and Hour Laws** **CARRIED OVER**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|--------------------|-------------------------|---------------------------|
| KONTOS LAWRENCE | | |

LD 1876 proposes to waive the State’s claim to sovereign immunity in the case of Alden et al. v. State of Maine, No. CV-96-751 (Me. Super. Ct., Cum. Cty.), in which probation and parole officers are suing the State for overtime they allege is due them under federal law. The bill has been carried over to the Second Regular Session.

LD 1882 **An Act Concerning Acceptance of Campaign Contributions during Legislative Sessions** **PUBLIC 529**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|----------------------------------|
| | | H-649 DONNELLY H-724 DAVIDSON |

LD 1882 would have prohibited legislators and their staff and agents from soliciting and lobbyists, lobbyists associates and their employers from giving campaign contributions during the legislative session.

House Amendment “A” (H-649) would have incorporated constitutional officers to the list of people who may not solicit or accept contributions from a lobbyist, lobbyist associate or employer during a legislative session.

House Amendment “A” to House Amendment “A” (H-724) would have incorporated the provisions of House

Amendment “A” and adds the Governor to the list of people who may not solicit or accept contributions from a lobbyist, lobbyist associate or employer during a legislative session.

Enacted law summary

Public Law 529 prohibits the Governor, a member of the Legislature or any constitutional officer or their staff or agent of the Governor, a member of the Legislature or any constitutional officer may not intentionally solicit or accept a contribution from a lobbyist, lobbyist associate or employer during any period of time in which the Legislature is convened before final adjournment. Public Law 529 also prohibits a lobbyist, associates or employer from giving, offering or promising to contribute to the Governor, member of the Legislature or any constitutional officers, or to any of their staff when the Legislature is in session. Public Law 529 does not apply to bonafide charitable or nonpartisan events, special elections or after the deadline for filing as a candidate.

LD 1901

An Act to Extend the Authorization for Federally Funded Positions to Establish a Military Rebuild Site at the Former Loring Air Force Base

PUBLIC 559

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| KIEFFER O'NEAL | | |

LD 1901 would have extended the authorization for federally funded positions to establish a military rebuild site at the former Loring Air Force Base.

Enacted law summary

Public Law 559 extends authorization for federally funded positions to establish a military rebuild site at the former Loring Air Force Base

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Joint Standing Committee on Legal and Veterans' Affairs

SUBJECT INDEX

Campaign Finance

Enacted

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Not Enacted

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| LD 501 | An Act to Prohibit Political Action Committee and Corporate Contributions in State Elections | ONTP | Page 626 |
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Enacted

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Not Enacted

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Enacted

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Enacted

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Enacted

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Not Enacted

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Enacted

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| LD 695 | An Act to Amend Security Deposit Provisions for Residential Rental Units | PUBLIC 261 | Page 631 |
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| LD 1316 | An Act to Remove Restrictions on Items that May Be Auctioned by Public Broadcasting Stations | PUBLIC 483 | Page 646 |
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Not Enacted

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| LD 376 | An Act to Eliminate the Requirement That Agency Liquor Stores Be a Certain Distance Apart | ONTP | Page 623 |
| LD 484 | An Act Relating to Alcohol Beverage Price Promotions and Price Posting | ONTP | Page 626 |
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Enacted

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Not Enacted

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| LD 312 | An Act to Remove Instant Lottery Ticket Vending Machines | ONTP | Page 622 |
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Enacted

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Not Enacted

None

Political Signs

Enacted

None

Not Enacted

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Enacted

None

Not Enacted

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Not Enacted

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Not Enacted

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